

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2022-91-E ORDER NO. 2022-34-H**

**APRIL 18, 2022**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Application of Duke Energy Carolinas, LLC (“DEC”) for Approval of Demand-Side Management and Energy Efficiency Rider 14, Decreasing Residential Rates and Decreasing Non-Residential Rates**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of Walmart Inc. (“Walmart”)**

**CHIEF HEARING OFFICER’S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of Walmart Inc. in this Docket. The Petition is timely filed, and no objections to the intervention have been filed.**

**Walmart Inc. asserts that it is a global retailer of goods and services that operates throughout the United States. Walmart provides retail services in South Carolina. Walmart notes that it is a large commercial customer of DEC in South Carolina, consuming over 97 million kWh annually. Electricity is one of the largest operating costs faced by Walmart, according to that Company. Accordingly, any modification to DEC’s electric rates and terms of service may substantially impact Walmart’s operations in South Carolina. Further, Walmart states that it is dedicated to its own investment in DSM and energy efficiency (“EE”), and is very interested in this case, and has participated in similar cases in the past. Walmart asserts that it has a direct and substantial interest in the outcome of this proceeding, and as a large commercial customer that purchases substantial amounts of electricity and related services from DEC, Walmart has an interest in this proceeding that is not represented by any other party.**

**After it has been determined that the Petition to Intervene has been timely filed, the next question for the Commission is to determine whether or not the petitioning party or parties have clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the South Carolina Public Service Commission must set forth clearly and concisely:**

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

**From the discussion and assertions in Walmart's Petition, this Chief Hearing Officer holds that Walmart has satisfied all of the criteria for intervention stated in the Regulation. The Petitioner's interest in these matters can clearly be discerned, as can the grounds for the intervention, and its position. Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of Walmart Inc. is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.**